

REMARKS

Claims 1-4, 7, 7, 9-15, 17, 19 and 20 are currently pending. Claim 1 is amended. Support for the amendment to claim 1 may be found in the specification as originally filed, for example, original claim 20.

I. The Examiner's "Response to Amendment"

The Examiner states that Applicants' prior arguments are moot in view of the new grounds of rejection discussed below. In paragraph 4 of the Office Action the Examiner states that the evidence of unexpected results are irrelevant and not persuasive, because a new rejection is issued based on Kim et al in view of Aida et al. The Examiner is requested to consider the complete record and all evidence as a whole in considering obviousness.

II. The Rejection Based on Kim et al in view of Aida et al

Claims 1, 3, 6-7, 10-13, 15 and 20 are rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Kim et al (US 2006/0098145) in view of Aida et al (US 5,093,739).

Claims 2 and 17 are rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Kim et al in view of Aida et al, and further in view of Sakamoto et al (US 2003/0125503).

Claims 4 and 14 are rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Kim et al in view of Aida et al, and further in view of Kuwabara et al (5,875,014).

Claim 9 is rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Kim et al in view of Aida et al, and further in view of Kaneko et al (US 6,693,695).

Claim 19 is rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Kim et al in view of Aida et al, and further in view of Van De Witte et al (US 6,437,843).

Applicants respectfully submit that the present invention is not anticipated by or obvious over the disclosures of Kim et al in view of Aida et al, alone or in view of the secondary references, and request that the Examiner reconsider and withdraw this rejection in view of the following remarks.

(1) The Examiner states that Kim et al discloses a birefringent optical film comprising: negative A-plate (601, 602) and negative C-plate (701, 702), and points out that the former plate corresponds to the birefringent A-layer of the present invention and the latter plate corresponds to the birefringent B-layer of the present invention. Further, the Examiner states that Kim et al discloses the negative A-plate (601, 602) having the reciprocal wavelength dispersion characteristics (in at least paragraph 0037). Moreover, the Examiner alleges that the C-plate has minimal effect on the total in-plane retardation of the birefringent optical film, and thus the reciprocal wavelength dispersion characteristics of the negative A-plate (601, 602) is the reciprocal wavelength dispersion characteristics of the birefringent optical film.

However, for the sake of argument, even if it is obvious that the birefringent optical film (Kim et al) comprising the negative A-plate having the reciprocal wavelength dispersion characteristics and the negative C-plate has the reciprocal wavelength dispersion characteristics, it is not obvious that the birefringent film (present invention) comprising the negative A-plate and the biaxial film having a property satisfying $n_{x_b} > n_{y_b} > n_{z_b}$ has the reciprocal wavelength dispersion characteristics. Since the biaxial film having a property satisfying $n_{x_b} > n_{y_b} > n_{z_b}$ has an in-plane retardation, for example, when the biaxial film is laminated with the negative A-plate, there is a possibility that the laminated product of the biaxial film and the negative A-plate does

not show the reciprocal wavelength dispersion characteristics because the retardation of each layer may be cancelled out.

As Applicants stated in the response to the earlier Office Action, the birefringent optical film of the present invention has reciprocal wavelength dispersion characteristics. This can be achieved by, for example, a smaller change A in wavelength dispersion characteristics of the absolute value of the in-plane retardation $\Delta n_d a$ of the birefringent A-layer as compared to the change B in wavelength dispersion characteristics of the absolute value of the in-plane retardation $\Delta n_d b$, of the birefringent B-layer (paragraphs [0099] and [0100] in Applicants' specification as well as Applicants' Fig. 1 and Fig. 2). None of the cited references describe or suggest that the laminated product of the birefringent A-layer having a property satisfying $n_{y_a} \geq n_{z_a} > n_{x_a}$ or $n_{z_a} > n_{y_a} \geq n_{x_a}$ and that the birefringent B-layer having a property satisfying $n_{x_b} > n_{y_b} > n_{z_b}$ has the aforementioned characteristics. Thus, the present invention is not obvious from the references.

Further, the birefringent film of the present invention comprises the laminated product of the birefringent A-layer having a property satisfying $n_{y_a} \geq n_{z_a} > n_{x_a}$ or $n_{z_a} > n_{y_a} \geq n_{x_a}$ and the birefringent B-layer having a property satisfying $n_{x_b} > n_{y_b} > n_{z_b}$, and has the reciprocal wavelength dispersion characteristics. Thereby, three effects, i.e., (i) excellent contrast, (ii) wide viewing angle and (iii) prevention of coloring, can simultaneously be achieved in viewing-angle compensation of the VA mode liquid crystal display. It is unexpected that the aforementioned three effects can simultaneously be achieved in viewing-angle compensation of the VA mode liquid crystal display and such excellent effects are neither described nor suggested or in any

references. Thus, it is further respectfully submitted that the present invention is not obvious from the references.

(2) The Examiner states that the present invention is obvious from the combination of Kim et al, Aida et al, and VanderPloeg (US6,567,143) because VanderPloeg discloses the birefringent B-layer having a property satisfying $nx_b > ny_b > nz_b$.

However, VanderPloeg relates to a normally white twisted nematic (TN) liquid crystal display (LCD) (see the Abstract and the Summary of the Invention of VanderPloeg). In contrast, the present invention relates to viewing-angle compensating films for VA mode liquid crystal displays as described in claim 1, and thus the display mode of VanderPloeg is clearly different from that of the present invention. Therefore, it is not appropriate to modify/use the retardation film of VanderPloeg for VA mode liquid crystal displays. Furthermore, the proposed modification may render the prior art unsatisfactory for its intended purpose, and may change the principle of the prior art. That is, it is unnatural for a person skilled in the art to combine VanderPloeg and other references to arrive the present invention. In other words, the present invention is not obvious from the combination of VanderPloeg and other references.

Further, VanderPloeg and other references neither describe nor suggest that the laminated product of the birefringent B-layer having a property satisfying $ny_a \geq nz_a > nx_a$ or $nz_a > ny_a \geq nx_a$ and the birefringent B-layer having a property satisfying $nx_b > ny_b > nz_b$ has reciprocal wavelength dispersion characteristics. Thus, the present invention is not obvious from VanderPloeg and other references. Details are as described above.

Moreover, as described above, according to the present invention, three effects, i.e., (i)

excellent contrast (ii) wide viewing angle (iii) prevention of coloring, can simultaneously be achieved in viewing-angle compensation of the VA mode liquid crystal display. Such an excellent effect that the aforementioned three effects can simultaneously be achieved in viewing-angle compensation of the VA mode liquid crystal display is neither described nor suggested in VanderPloeg and any other references. Thus, it is further apparent that the present invention is not obvious from VanderPloeg and other cited references.

(3) As stated above, the present invention is not obvious from the teachings of Kim et al in view of Aida et al, alone or in view any references cited in the Office Action and the combination thereof. Therefore, Applicants' respectfully submit that the present invention is patentable.

For the above reasons, it is respectfully submitted that the subject matter of claims 1-19 is neither taught by nor made obvious from the disclosures of Kim et al in view of Aida et al, either alone or in combination with the secondary references, and it is requested that the rejections under 35 U.S.C. §103(a) be reconsidered and withdrawn.

III. Conclusion

In view of the above, Applicants respectfully submit that their claimed invention is allowable and ask that the rejections under 35 U.S.C. §103 be reconsidered and withdrawn. Applicants respectfully submit that this case is in condition for allowance and allowance is respectfully solicited.

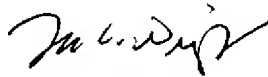
Application No.: 10/540,486
Art Unit: 2871

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Attorney Docket No.: 052523

If any points remain at issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the local exchange number listed below.

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,
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